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WORKMAN | NYDEGGER
INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER, 60 EAST SOUTH TEMPLE | SALT LAKE CITY, UTAH 84111
TEL: (801) 533-9800 | FAX: (801) 328-1707 | WWW.WNLAW.COM

EXPRESS MAIL LABEL NO. EV 912289006 US

PATENT APPLICATION
Docket No: 13915.74.1.4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

	Paul L. Hickman)
)
Serial No.:	10/773,617) Art Unit
) 3764
Confirmation No.:	7761)
)
Filed:	February 6, 2004)
)
For:	EXERCISE AND HEALTH EQUIPMENT)
)
Customer No.:	022913)
)
Examiner:	Glenn E. Richman)

TRANSMITTAL FOR SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

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A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 27 references submitted for consideration.
- ☒ Copies of 11 of the references listed on the Form PTO-1449.
- ☐ English translations of _____) of the references listed on the Form PTO-1449 which are not in the English language.
- ☐ Copies of the following documents from the prosecution of a previous, related application:
 - ☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
 - ☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☐ Prior to the latter of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☒ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - ☒ Credit Card Payment form in the amount of 180.00;
 - ☐ Promptness Certification; or
 - ☐ Check No. _____ in the amount of _____ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - ☐ Promptness Certificate;
 - ☐ Petition for Consideration; and
 - ☐ Check No. _____ in the amount of _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. ☐ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

Check No. _____ in the amount of _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

_____ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

_____ The submission fee set forth in 37 C.F.R. § 1.17(p).

_____ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).


Dated this 14th day of March 2008.

Respectfully submitted,

/J. Dustin Howell/ Reg. # 60701
J. DUSTIN HOWELL

Attorney for Applicant
Registration No. 60,701
Customer No. 022913



CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)				Docket No.	
Applicant(s): Paul L. Hickman				13915.74.1.4	
Serial No. 10/773,617	Filing Date February 6, 2004	Confirmation No. 7761	Examiner Glenn E. Richman	Group Art Unit 3764	
Invention: EXERCISE AND HEALTH EQUIPMENT					
<p>I hereby certify that the following are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:</p> <p>Transmittal For Supplemental Information Disclosure Statement (3 pages) (in duplicate) Supplemental Information Disclosure Statement (2 pages) Form PTO-1449 (3 pages) Copies of references as listed on PTO-1449 Credit Card Payment Form in the amount of \$180 Postcard</p> <p style="text-align: right;">J. Dustin Howell</p> <p style="text-align: right;"> _____ (Signature of Person Mailing Correspondence)</p> <p style="text-align: right;">EV 912289006 US ("Express Mail" Mailing Label Number)</p> <p style="text-align: right;">March 14th, 2008 (Date of Deposit)</p> <p>JDH:jbe W:\13915\74.1.4\JBE0000012192V001.doc</p>					



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Customer No.: 022913)
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Examiner: Glenn E. Richman)

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 14th day of March 2008.

Respectfully submitted,

/J. Dustin Howell/ Reg. # 60701
J. DUSTIN HOWELL

Attorney for Applicant
Registration No. 60,701
Customer No. 022913

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